J. MICHAEL KALER, SBN 158296
9930 Mesa Rim Road, Suite 200
San Diego, California 92121
Telephone (858) 362-3151
E-mail: michael@kalerlaw.com

MELODY A. KRAMER, SBN 169984
9930 Mesa Rim Road, Suite 1600
San Diego, California 92121
Telephone (858) 362-3150
E-mail: mak@kramerlawip.com

PATRICIA SHACKELFORD, SBN 218647
9930 Mesa Rim Road, Suite 450
San Diego, California 92121
Telephone (858) 362-3152

Attorneys for Plaintiff JENS ERIK SORENSEN, as Trustee of SORENSEN RESEARCH AND DEVELOPMENT TRUST

**UNITED STATES DISTRICT COURT**

**FOR THE SOUTHERN DISTRICT OF CALIFORNIA**

| | |
|---|---|
| JENS ERIK SORENSEN, as Trustee of SORENSEN RESEARCH AND DEVELOPMENT TRUST,<br>Plaintiff<br>v.<br><br>THE BLACK & DECKER CORPORATION; BLACK & DECKER, INC.; BLACK & DECKER (US), INC.; PORTER-CABLE CORPORATION; VECTOR PRODUCTS, INC.; PHILLIPS PLASTICS CORPORATION; HI-TECH PLASTICS INC.; B&D HOLDINGS, LLC; AND DOES 1 THROUGH 1000,<br>Defendants. | Case No. 06-cv-1572 BTM (CAB)<br><br>**NOTICE OF MOTION AND PLAINTIFF'S MOTION TO CONSOLIDATE CASES**<br><br>Date: May 30, 2008<br>Time: 11:00 a.m.<br>Courtroom: 15, Fifth Floor<br>Hon. Barry Ted Moskowitz<br><br>*NO ORAL ARGUMENTS UNLESS REQUESTED BY COURT* |
| JENS ERIK SORENSEN, as Trustee of SORENSEN RESEARCH AND DEVELOPMENT TRUST,<br>Plaintiff,<br>v. | Case No. 07-CV-2121 |

GIANT INTERNATIONAL (USA) LTD., a Delaware corporation, and DOES 1-10,

Defendants.

and related counterclaims.

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JENS ERIK SORENSEN, as Trustee of SORENSEN RESEARCH AND DEVELOPMENT TRUST,

Plaintiff,

v.

ESSEPLAST (USA) NC, INC., a Delaware corporation, and DOES 1-100,

Defendants.

and related counterclaims

Case No. 07cv2277

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JENS ERIK SORENSEN, as Trustee of SORENSEN RESEARCH AND DEVELOPMENT TRUST,

Plaintiff,

v.

HELEN OF TROY TEXAS CORPORATION; OXO INTERNATIONAL LTD.; and DOES 1 – 100,

Defendants.

Case No. 07cv2278

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JENS ERIK SORENSEN, as Trustee of SORENSEN RESEARCH AND DEVELOPMENT TRUST,

Plaintiff,

v.

ENERGIZER HOLDINGS INC, a Missouri corporation; EVEREADY BATTERY COMPANY, INC.; and DOES 1 – 100,

Defendants.

and related counterclaims.

Case No. 07cv2321

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JENS ERIK SORENSEN, as Trustee of SORENSEN RESEARCH AND DEVELOPMENT TRUST,

Case No. 08cv0025

Plaintiff

v.

EMERSON ELECTRIC CO., a Missouri corporation; ONE WORLD TECHNOLOGIES, INC., a Delaware corporation; RIDGE TOOL COMPANY, an Ohio corporation; RIDGID, INC., a Delaware corporation; and DOES 1 – 100

Defendants.

and related counterclaims

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JENS ERIK SORENSEN, as Trustee of SORENSEN RESEARCH AND DEVELOPMENT TRUST,

Plaintiff

v.

RYOBI TECHNOLOGIES, INC., a Delaware corporation; TECHTRONIC INDUSTRIES NORTH AMERICA, INC., a Delaware corporation; and DOES 1 – 100,

Defendants.

Case No. 08cv0060

---

JENS ERIK SORENSEN, as Trustee of SORENSEN RESEARCH AND DEVELOPMENT TRUST,

Plaintiff

v.

SENCO PRODUCTS, INC., an Ohio corporation; and DOES 1 – 100,

Defendants.

Case No. 08cv0070

---

JENS ERIK SORENSEN, as Trustee of SORENSEN RESEARCH AND DEVELOPMENT TRUST,

Plaintiff

v.

INFORMATICS, INC., a Texas Corporation; INFORMATICS HOLDINGS, INC., a Delaware Corporation; DATALOGIC SCANNING, INC.

Case No. 08cv0134

Corporation; DATALOGIC SCANNING, INC., a Delaware Corporation; DATALOGIC SCANNING HOLDINGS, INC., a New York Corporation.

Defendants.

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JENS ERIK SORENSEN, as Trustee of SORENSEN RESEARCH AND DEVELOPMENT TRUST,

Plaintiff

v.

SANYO NORTH AMERICA CORPORATION, a Delaware Corporation; and DOES 1 – 100,

Defendants.

Case No. 08cv0135

---

JENS ERIK SORENSEN, as Trustee of SORENSEN RESEARCH AND DEVELOPMENT TRUST,

Plaintiff

v.

MOTOROLA, INC., a Delaware Corporation; and DOES 1 – 100,

Defendants.

Case No. 08cv0136

---

JENS ERIK SORENSEN, as Trustee of SORENSEN RESEARCH AND DEVELOPMENT TRUST,

Plaintiff

v.

CTT TOOLS, INC., a California Corporation; and DOES 1 – 100,

Defendants.

Case No. 08cv0231

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JENS ERIK SORENSEN, as Trustee of SORENSEN RESEARCH AND DEVELOPMENT TRUST,

Plaintiff

v.

ALLTRADE TOOLS, LLC., a California

Case No. 08cv0232

Corporation; and DOES 1 – 100,

Defendants.

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JENS ERIK SORENSEN, as Trustee of SORENSEN RESEARCH AND DEVELOPMENT TRUST,

Plaintiff

v.

GLOBAL MACHINERY COMPANY, an Australian company; GMCA PTY. LTD., an Australian company; TRAPONE CORPORATION PTY. LTD., an Australian company; and DOES 1 – 100,

Case No. 08cv0233

---

JENS ERIK SORENSEN, as Trustee of SORENSEN RESEARCH AND DEVELOPMENT TRUST,

Plaintiff

v.

EMISSIVE ENERGY CORP., a Delaware Corporation; and DOES 1 – 100,

Defendants.

Case No. 08cv0234

---

JENS ERIK SORENSEN, as Trustee of SORENSEN RESEARCH AND DEVELOPMENT TRUST,

Plaintiff

v.

METABO CORPORATION, a Delaware Corporation; METABOWERKE GMBH, a German Corporation; and DOES 1 – 100,

Defendants.

Case No. 08cv0304

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JENS ERIK SORENSEN, as Trustee of SORENSEN RESEARCH AND DEVELOPMENT TRUST,

Plaintiff

v.

RALLY MANUFACTURING, INC., a Florida

Case No. 08cv0305

Corporation; and DOES 1 – 100,

Defendants.

JENS ERIK SORENSEN, as Trustee of SORENSEN RESEARCH AND DEVELOPMENT TRUST,

Plaintiff

v.

SUNBEAM PRODUCTS, INC., a Delaware Corporation; and DOES 1 – 100,

Defendants.

Case No. 08cv0306

JENS ERIK SORENSEN, as Trustee of SORENSEN RESEARCH AND DEVELOPMENT TRUST,

Plaintiff

v.

STAR ASIA, U.S.A., LLC, a Washington Corporation; and DOES 1 – 100,

Defendants.

Case No. 08cv0307

JENS ERIK SORENSEN, as Trustee of SORENSEN RESEARCH AND DEVELOPMENT TRUST,

Plaintiff

v.

LOGITECH INC., a California Corporation; and DOES 1 – 100,

Defendants.

Case No. 08cv0308

JENS ERIK SORENSEN, as Trustee of SORENSEN RESEARCH AND DEVELOPMENT TRUST,

Plaintiff

v.

CENTRAL PURCHASING, LLC, a California Corporation; and DOES 1 – 100,

Case No. 08cv0309

Defendants.

JENS ERIK SORENSEN, as Trustee of SORENSEN RESEARCH AND DEVELOPMENT TRUST,

Plaintiff

v.

KYOCERA INTERNATIONAL, INC., a California Corporation; KYOCERA WIRELESS CORP., a California Corporation; and DOES 1 – 100,

Defendants.

Case No. 08cv0411

JENS ERIK SORENSEN, as Trustee of SORENSEN RESEARCH AND DEVELOPMENT TRUST,

Plaintiff

v.

DMS HOLDINGS, INC. d.b.a. MABIS HEALTHCARE and DURO-MED INDUSTRIES, a a Delaware Corporation; and DOES 1 – 100,

Defendants.

Case No. 08cv0559

TO ALL PARTIES AND THEIR COUNSEL OF RECORD

PLEASE TAKE NOTICE that on May 30, 2008 at 11:00 a.m. or as soon thereafter as this matter may be heard before the Honorable Barry Ted Moskowitz, Plaintiff Jens Erik Sorensen, as trustee of Sorensen Research & Development Trust, will and do, moves this Court for an order consolidating the above-captioned cases for all purposes pursuant to Rule 42 of the Federal Rules of Civil Procedure.

This motion is made on the grounds that these actions involve overlapping

issues of law and fact and consolidation of these cases will promote efficiency.

A list of all named defendants in each case[1], including identification of those who have appeared, and the names of their respective attorneys of record, are as follows:

| *Defendants* | *Appeared?* | *Attorney(s) of Record* |
|---|---|---|
| The Black & Decker Corporation<br>Black & Decker Inc.<br>Black & Decker (U.S.) Inc.<br>Porter-Cable Corporation<br>Vector Products, Inc.<br>B&D Holdings LLC | Yes | Raymond P. Niro, Jr.<br>Dina Hayes<br>Gregory P. Casimer<br>Robert A. Conley<br>Niro, Scavone, Haller & Niro<br>181 W. Madison St., Ste. 4600<br>Chicago, IL 60602<br><br>Allison Goddard<br>J. Christopher Jaczko<br>Jaczko Goddard LLP<br>4401 Eastgate Mall<br>San Diego, CA 92121 |
| Phillips Plastics Corporation<br>Hi-Tech Plastics Inc. | Yes | Kenneth S. Klein<br>Foley & Lardner LLP<br>402 W. Broadway, Suite 2100<br>San Diego, CA 92101-3542<br><br>Robert L. Binder<br>Foley & Lardner LLP<br>777 East Wisconsin Avenue<br>Milwaukee, WI 53202<br><br>Richard L. Schwaab<br>Pavan K. Agarwal<br>C. Edward Polk, Jr.<br>Foley & Lardner LLP |

[1] Plaintiff Jens Erik Sorensen as Trustee of Sorensen Research and Development Trust is represented by attorneys J. Michael Kaler and Melody A. Kramer in every case, and also by Patricia A. Shackelford in the Black & Decker case.

| | | |
|---|---|---|
| | | 3000 K Street, N.W. Suite 500<br>Washington, DC 20007 |
| Giant International (USA) Ltd. | Yes | Allison Goddard<br>J. Christopher Jaczko<br>Jaczko Goddard LLP<br>4401 Eastgate Mall<br>San Diego, CA 92121<br><br>Dale Lischer<br>Elizabeth G. Borland<br>Kerri A. Hochgesang<br>Smith, Gambrell & Russell, LLP<br>Promenade II, Suite 3100<br>1230 Peachtree St., N.E.<br>Atlanta, GA 30309 |
| Esseplast USA (NC) Inc. | Yes | Alan A. Limbach<br>Gregory J. Lundell<br>Elizabeth Day<br>Vincent S Lam<br>Erik R. Fuehrer<br>DLA Piper USA LLC<br>2000 University Avenue<br>East Palo Alto, CA 94303 |
| Helen of Troy Texas Corporation<br><br>OXO International LTD | Yes | Erik B. Von Ziepel<br>Seyfarth Shaw LLP<br>2029 Century Park East, Suite 3300<br>Los Angeles, CA 90067 |
| Energizer Holdings Inc.<br><br>Eveready Battery Company, Inc. | Yes | Jill Zimmerman<br>Anthony I. Fenwick<br>David Lisson<br>Veronica C. Abreu<br>Davis Polk & Wardwell<br>1600 El Camino Real<br>Menlo Park, CA 94025 |
| Emerson Electric Co.<br><br>Ridge Tool Company | Yes | Roger G. Perkins, Esq<br>Angela Kim, Esq.<br>MORRIS POLICH & PURDY LLP |

| | | |
|---|---|---|
| Ridgid, Inc. | | 501 West Broadway, Suite 500<br>San Diego, California 92101<br><br>Orlando F. Cabanday<br>HENNELLY & GROSSFELD LLP<br>4640 Admiralty Way, Suite 850<br>Marina del Rey, CA 90292<br><br>Robert S. Mallin<br>Brinks Hofer Gilson & Lione<br>NBC Tower<br>455 N City Front Plaza Drive<br>Suite 3600<br>Chicago, IL 60611 |
| One World Technologies, Inc. | Yes | Roger G. Perkins, Esq<br>Angela Kim, Esq.<br>MORRIS POLICH & PURDY LLP<br>501 West Broadway, Suite 500<br>San Diego, California 92101<br><br>Robert S. Mallin<br>Brinks Hofer Gilson & Lione<br>NBC Tower<br>455 N City Front Plaza Drive<br>Suite 3600<br>Chicago, IL 60611 |
| Ryobi Technologies, Inc.<br><br>Techtronic Industries North America, Inc. | Yes | Roger G. Perkins, Esq<br>MORRIS POLICH & PURDY LLP<br>501 West Broadway, Suite 500<br>San Diego, California 92101<br><br>Robert S. Mallin<br>Brinks Hofer Gilson & Lione<br>NBC Tower<br>455 N City Front Plaza Drive<br>Suite 3600<br>Chicago, IL 60611 |
| Senco Products, Inc. | Yes | Roger G. Perkins, Esq |

| | | |
|---|---|---|
| | | MORRIS POLICH & PURDY LLP<br>501 West Broadway, Suite 500<br>San Diego, California 92101<br><br>Angela Kim<br>MORRIS POLICH & PURDY LLP<br>501 West Broadway, Suite 500<br>San Diego, California 92101<br><br>Robert S. Mallin<br>Brinks Hofer Gilson & Lione<br>NBC Tower<br>455 N City Front Plaza Drive<br>Suite 3600<br>Chicago, IL 60611 |
| Informatics, Inc.<br><br>Informatics Holdings, Inc.<br><br>Datalogic Scanning, Inc.<br><br>Datalogic Scanning Holdings, Inc. | Yes | James H. Shalek<br>Proskauer Rose LLP<br>1585 Broadway,<br>New York, NY 10036<br><br>Jonathan E. Rich<br>Proskauer Rose LLP<br>2049 Century Park East, 32nd Floor<br>Los Angeles, CA 90067 |
| Sanyo North America Corporation | Yes | Douglas Carsten<br>Debra D. Nye<br>Foley & Lardner LLP<br>11250 El Camino Real, Suit 200<br>San Diego, California 92130<br>Telephone: (858) 847-6700 |
| Motorola, Inc. | Yes | Rachel M. Capoccia<br>Hogan & Hartson L.L.P.<br>1999 Avenue of the Stars,<br>Suite 1400<br>Los Angeles, California 90067<br><br>Erik J. Lobenfeld<br>Hogan & Hartson LLP<br>875 Third Avenue<br>New York, NY 10022 |
| CTT Tools, Inc. | Yes | Eliot Teitelbaum |

| | | |
|---|---|---|
| | | Koorenny & Teitelbaum, LLP<br>11911 San Vicente Blvd. Suite 265<br>Los Angeles, CA 90049 |
| Alltrade Tools, LLC. | No | |
| Global Machinery Company<br><br>GMCA Pty.<br><br>Trapone Corporation Pty. Ltd. | Yes | Thomas W. Ferrel<br>HIGGS, FLETCHER & MACK LLP<br>401 West "A" Street, Suite 2600<br>San Diego, CA 92101-7913<br><br>Mark G. Kachigian<br>Cassandra L. Wilkinson<br>HEAD, JOHNSON & KACHIGIAN, P.C.<br>228 West 17th Place<br>Tulsa, Oklahoma 74119 |
| Emissive Energy Corp. | Yes | Jeff E. Scott<br>GREENBERG TRAURIG, LLP<br>2450 Colorado Avenue, Suite 400E<br>Santa Monica, California 90404 |
| Metabo Corporation<br><br>Metabowerke GMBH | Yes | Jeffrey D. Lewin<br>Sullivan, Hill, Lewin, Rez & Engel<br>550 West “C” Street, Suite 1500<br>San Diego, CA 92101<br><br>Daniel J. Bourque<br>Bourque & Associates Intellectual Property Attorneys<br>835 Hanover Street<br>Suite 301<br>Manchester, NH 03104<br><br>Arnold Rosenblatt<br>Cook Little Rosenblatt & Manson PLLC<br>650 Elm Street<br>Manchester, NH 03101 |
| Rally Manufacturing, Inc. | Yes | Gary M. Anderson<br>FULWIDER PATTON LLP<br>Howard Hughes Center<br>6060 Center Drive, Tenth Floor |

| | | |
|---|---|---|
| | | Los Angeles, CA 90045 |
| Sunbeam Products, Inc. | Yes | Sang N. Dang<br>ORION LAW GROUP<br>3 Hutton Centre Drive, Suite 850<br>Santa Ana, CA 92707<br><br>George L. Fountain<br>ORION LAW GROUP<br>3 Hutton Centre Drive, Suite 850<br>Santa Ana, CA 92707<br><br>Kening Li, PH.D.<br>PINSENT MASONS<br>C/o BAKER DONELSON BEARMAN CALDWELL AND BERKOWITZ<br>555 11th St., NW,<br>Washington, DC 20004<br><br>Vy H. Vu<br>ORION LAW GROUP<br>3 Hutton Centre Drive, Suite 850<br>Santa Ana, CA 92707 |
| Star Asia, U.S.A., LLC. | Yes | Richard A. Clegg<br>Seltzer Caplan McMahon Vitek<br>750 B St., Suite 2100<br>San Diego, CA 92101 |
| Logitech, Inc. | Yes | Richard S. Swope<br>ORRICK, HERRINGTON & SUTCLIFFE LLP<br>1000 Marsh Road<br>Menlo Park, CA 94025 |
| Central Purchasing, LLC | Yes | Mark J. Rosenberg<br>Sills Cummis & Gross P.C.<br>One Rockefeller Plaza<br>New York, New York 10020<br><br>Susan E. Basinger<br>Higgs Fletcher & Mack LLP<br>401West "A" Street, Suite 2600 |

| | | |
|---|---|---|
| | | San Diego, California 92101 |
| Kyocera International, Inc.<br><br>Kyocera Wireless Corp. | Yes | Anthony J. Dain<br>Victor M. Felix<br>PROCOPIO, CORY, HARGREAVES & SAVITCH LLP<br>530 B Street, Suite 2100<br>San Diego, California 92101 |
| DMS Holdings, Inc. dba Mabis Healthcare and Duro-Med Industries | No | |

Dated this Wednesday, April 09, 2008.

Respectfully submitted,

JENS ERIK SORENSEN, as Trustee of SORENSEN RESEARCH AND DEVELOPMENT TRUST, Plaintiff

/s/ Melody A. Kramer
J. Michael Kaler
Melody A. Kramer
Patricia A. Shackelford
Attorneys for Plaintiff

**PROOF OF SERVICE**

I, Melody A. Kramer declare: I am and was at the time of this service working within in the County of San Diego, California. I am over the age of 18 year and not a party to the within action. My business address is the Kramer Law Office, Inc., 9930 Mesa Rim Road, Suite 1600, San Diego, California, 92121. I am a member of the State Bar of California and the Bar of this Court.

On April 9, 2008, I served on the parties to this action the following documents:

**NOTICE OF MOTION AND PLAINTIFF'S MOTION TO CONSOLIDATE CASES**

| PERSON(S) SERVED | PARTY(IES) SERVED | METHOD OF SERVICE |
|---|---|---|
| Raymond P. Niro, Jr.<br>Dina Hayes<br>Gregory P. Casimer<br>Robert A. Conley<br>Niro, Scavone, Haller & Niro<br>181 W. Madison St., Ste. 4600<br>Chicago, IL 60602<br>312/236-3137 FAX<br>rnirojr@nshn.com<br>hayes@nshn.com<br>casimer@nshn.com<br>rconley@nshn.com | Defendants Black & Decker Corp.; Black & Decker, Inc.; Black & Decker (U.S.), Inc.; Vector Products, Inc.; and B&D Holdings, LLC ("B&D Defendants") | Email--Pleadings Filed with the Court |
| Allison Goddard<br>J. Christopher Jaczko<br>Jaczko Goddard LLP<br>4401 Eastgate Mall<br>San Diego, CA 92121<br>agoddard@jaczkogoddard.com<br>cjaczko@jaczkogoddard.com | Defendant Hi-Tech Plastics, Inc. and Phillips Plastics | Email--Pleadings Filed with the Court |
| Kenneth S. Klein<br>Foley & Lardner LLP<br>402 W. Broadway, Suite 2100<br>San Diego, CA 92101-3542<br>619/234-3510 FAX<br>kklein@foley.com | Defendants Hi-Tech & Phillips | Email--Pleadings Filed with the Court |
| Robert L. Binder<br>Foley & Lardner LLP | Defendants Hi-Tech & Phillips | Email--Pleadings Filed with the Court |

| | | |
|---|---|---|
| 777 East Wisconsin Avenue<br>Milwaukee, WI 53202<br>414/297-4900 FAX<br>rbinder@foley.com<br><br>Richard L. Schwaab<br>Pavan K. Agarwal<br>C. Edward Polk, Jr.<br>Foley & Lardner LLP<br>3000 K Street, N.W. Suite 500<br>Washington, DC 20007<br>202/672-5399 FAX<br>rschwaab@foley.com<br>pagarwal@foley.com<br>epolk@foley.com | Defendants Hi-Tech & Phillips | Email--Pleadings Filed with the Court |
| Allison Goddard<br>J. Christopher Jaczko<br>Jaczko Goddard LLP<br>4401 Eastgate Mall<br>San Diego, CA 92121<br>agoddard@jaczkogoddard.com<br>cjaczko@jaczkogoddard.com<br>858-225-3500 FAX<br><br>Dale Lischer<br>dlischer@sglaw.com<br>Elizabeth G. Borland<br>egborland@sglaw.com<br>Kerri A. Hochgesang<br>khochgesang@sglaw.com<br>Smith, Gambrell & Russell, LLP<br>Promenade II, Suite 3100<br>1230 Peachtree St., N.E.<br>Atlanta, GA 30309<br>404-685-6945 FAX | Defendant Giant International (USA) Ltd.<br><br>Defendant Giant International (USA) Ltd. | Email – Pleadings Filed with the Court<br><br>Email – Pleadings Filed with the Court |
| Alan A. Limbach<br>DLA Piper USA LLC<br>2000 University Avenue<br>East Palo Alto, CA 94303-2214<br>alan.limbach@dlapiper.com<br><br>Gregory J. Lundell<br>DLA Piper USA LLC | Esseplast (USA) NC, Inc.<br><br>Esseplast (USA) NC, Inc | Email--Pleadings Filed with the Court via CM/ECF<br><br>Email--Pleadings Filed with the Court via |

| | | |
|---|---|---|
| 2000 University Avenue<br>East Palo Alto, CA 94303-2214<br>greg.lundell@dlapiper.com<br><br>Elizabeth Day<br>DLA Piper USA LLC<br>2000 University Avenue<br>East Palo Alto, CA 94303-2214<br>elizabeth.day@dlapiper.com<br><br>Vincent S Lam<br>DLA Piper USA LLC<br>2000 University Avenue<br>East Palo Alto, CA 94303-2214<br>vincent.lam@dlapiper.com<br><br>Erik R. Fuehrer<br>DLA Piper USA LLC<br>2000 University Avenue<br>East Palo Alto, CA 94303-2214<br>erik.fuehrer@dlapiper.com | Esseplast (USA) NC, Inc<br><br>Esseplast (USA) NC, Inc<br><br>Esseplast (USA) NC, Inc | CM/ECF<br><br>Email--Pleadings Filed with the Court via CM/ECF<br><br>Email--Pleadings Filed with the Court via CM/ECF<br><br>Email--Pleadings Filed with the Court via CM/ECF |
| Erik B. Von Ziepel<br>Seyfarth Shaw LLP<br>2029 Century Park East, Suite 3300<br>Los Angeles, CA 90067<br>evonzeipel@seyfarth.com | Helen of Troy Texas Corporation; Oxo International Ltd. | Email--Pleadings Filed with the Court via CM/ECF |
| Jill Zimmerman<br>Davis Polk & Wardwell<br>1600 El Camino Real<br>Menlo Park, CA 94025<br>jill.zimmerman@dpw.com<br><br>Anthony I. Fenwick<br>Davis Polk & Wardwell<br>1600 El Camino Real<br>Menlo Park, CA 94025<br>anthony.fewick@dpw.com<br><br>David Lisson<br>Davis Polk & Wardwell<br>1600 El Camino Real<br>Menlo Park, CA 94025<br>david.lisson@dpw.com<br><br>Veronica C. Abreu<br>Davis Polk & Wardwell<br>1600 El Camino Real | Energizer Holdings Inc. Eveready Battery Company, Inc.<br><br>Energizer Holdings Inc. Eveready Battery Company, Inc.<br><br>Energizer Holdings Inc. Eveready Battery Company, Inc.<br><br>Energizer Holdings Inc. Eveready Battery Company, Inc. | Email--Pleadings Filed with the Court via CM/ECF<br><br>Email--Pleadings Filed with the Court via CM/ECF<br><br>Email--Pleadings Filed with the Court via CM/ECF<br><br>Email--Pleadings Filed with the Court via CM/ECF |

| | | |
|---|---|---|
| Menlo Park, CA 94025<br>veronica.abreu@dpw.com | | |
| Roger G. Perkins, Esq<br>Angela Kim, Esq.<br>MORRIS POLICH & PURDY LLP<br>501 West Broadway, Suite 500<br>San Diego, California 92101<br>rperkins@mpplaw.com<br>akim@mpplaw.com | Emerson Electric Co., Ridge Tool Co., and Ridgid, Inc., One World Technologies, Inc. | Email - Pleadings Filed with the Court via ECF |
| Orlando F. Cabanday<br>HENNELLY & GROSSFELD LLP<br>4640 Admiralty Way, Suite 850<br>Marina del Rey, CA 90292<br>Telephone: (310) 305-2100<br>Facsimile: (310) 305-2116<br>ocabanday@hgla.com | Emerson Electric Co., Ridge Tool Co., and Ridgid, Inc. | Email - Pleadings Filed with the Court via ECF |
| Robert S. Mallin<br>Brinks Hofer Gilson & Lione<br>NBC Tower<br>455 N City Front Plaza Drive<br>Suite 3600<br>Chicago, IL 60611<br>rmallin@brinkshofer.com | Emerson Electric Co., Ridge Tool Co., and Ridgid, Inc., One World Technologies, Inc. | Email - Pleadings Filed with the Court via ECF |
| Roger G. Perkins, Esq<br>rperkins@mpplaw.com<br>MORRIS POLICH & PURDY LLP<br>501 West Broadway, Suite 500<br>San Diego, California 92101 | Ryobi Technologies, Inc.<br>Techtronic Industries North America, Inc. | Email - Pleadings Filed with the Court via ECF |
| Robert S. Mallin<br>Brinks Hofer Gilson & Lione<br>NBC Tower<br>455 N City Front Plaza Drive<br>Suite 3600<br>Chicago, IL 60611<br>rmallin@brinkshofer.com | Ryobi Technologies, Inc.<br>Techtronic Industries North America, Inc. | Email - Pleadings Filed with the Court via ECF |
| Roger G. Perkins, Esq<br>rperkins@mpplaw.com<br>MORRIS POLICH & PURDY LLP<br>501 West Broadway, Suite 500<br>San Diego, California 92101 | Senco Products, Inc. | Email - Pleadings Filed with the Court via ECF |

| | | |
|---|---|---|
| Angela Kim<br>akim@mpplaw.com<br>MORRIS POLICH & PURDY LLP<br>501 West Broadway, Suite 500<br>San Diego, California 92101<br><br>Robert S. Mallin<br>Brinks Hofer Gilson & Lione<br>NBC Tower<br>455 N City Front Plaza Drive<br>Suite 3600<br>Chicago, IL 60611<br>rmallin@brinkshofer.com | Senco Products, Inc.<br><br>Senco Products, Inc. | Email - Pleadings Filed with the Court via ECF<br><br>Email - Pleadings Filed with the Court via ECF |
| James H. Shalek<br>Proskauer Rose LLP<br>1585 Broadway,<br>New York, NY 10036<br>jshalek@proskauer.com<br><br>Jonathan E. Rich<br>Proskauer Rose LLP<br>2049 Century Park East, 32nd Floor<br>Los Angeles, CA 90067<br>jrich@proskauer.com | Informatics Holdings, Inc.<br>Datalogic Scanning, Inc.<br>Datalogic Scanning Holdings, Inc. | Federal Express |
| DOUGLAS CARSTEN<br>dcarsten@foley.com<br>DEBRA D. NYE<br>dnye@foley.com<br>Foley & Lardner LLP<br>11250 El Camino Real, Suit 200<br>San Diego, California 92130<br>Telephone: (858) 847-6700 | Sanyo North America Corporation | Email - Pleadings Filed with the Court via ECF |
| RACHEL M. CAPOCCIA<br>Hogan & Hartson L.L.P.<br>1999 Avenue of the Stars,<br>Suite 1400<br>Los Angeles, California 90067<br>rmcapoccia@hhlaw.com<br><br>Erik J. Lobenfeld<br>Hogan & Hartson LLP<br>875 Third Avenue<br>New York, NY 10022<br>EJlobenfeld@hhlaw.com | Motorola, Inc.<br><br>Motorola, Inc. | Email--Pleadings Filed with the Court via CM/ECF<br><br>Email--Pleadings Filed with the Court via CM/ECF |
| Eliot Teitelbaum<br>Koorenny & Teitelbaum, LLP | CTT Tools, Inc. | Federal Express |

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|---|---|---|
| 11911 San Vicente Blvd. Suite 265<br>Los Angeles, CA 90049<br>310-440-5276 Phone<br>310-440-5277 Fax<br>etktlaw@yahoo.com | | |
| John V. Hanley<br>Steptoe & Johnson LLP<br>2121 Avenue of the Stars<br>Suite 2800<br>Los Angeles, CA 90067 | Alltrade Tools, LLC. | Federal Express |
| Thomas W. Ferrell<br>tferrell@higgslaw.com<br>HIGGS, FLETCHER & MACK LLP<br>401 West "A" Street, Suite 2600<br>San Diego, CA 92101-7913<br><br>Mark G. Kachigian<br>mkachigian@hjklaw.com<br>Cassandra L. Wilkinson<br>cwilkinson@hjklaw.com<br>HEAD, JOHNSON & KACHIGIAN, P.C.<br>228 West 17th Place<br>Tulsa, Oklahoma 74119 | Global Machinery Company; GMCA Pty. Ltd; Trapone Corporation Pty Ltd.<br><br>Global Machinery Company; GMCA Pty. Ltd; Trapone Corporation Pty Ltd. | Email - Pleadings Filed with the Court via ECF<br><br>Email - Pleadings Filed with the Court via ECF |
| Jeff E. Scott<br>GREENBERG TRAURIG, LLP<br>2450 Colorado Avenue, Suite 400E<br>Santa Monica, California 90404<br>Email: ScottJ@gtlaw.com | Emissive Energy Corporation | Email--Pleadings Filed with the Court |
| Jeffrey D. Lewin<br>Sullivan, Hill, Lewin, Rez & Engel<br>550 West “C” Street, Suite 1500<br>San Diego, CA 92101<br>lewin@shlaw.com | Metabo Corporation | Email--Pleadings Filed with the Court via CM/ECF |
| Gary M. Anderson<br>FULWIDER PATTON LLP<br>Howard Hughes Center<br>6060 Center Drive, Tenth Floor<br>Los Angeles, CA 90045<br>litdocketla@fulpat.com<br>ganderson@fulpat.com | Rally Manufacturing, Inc. | Email - Pleadings Filed with the Court via ECF |
| Sang N. Dang | Sunbeam Products, Inc. | Email--Pleadings Filed |

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| ORION LAW GROUP<br>3 Hutton Centre Drive, Suite 850<br>Santa Ana, CA 92707<br>sangdang@orionlawgroup.net | | with the Court via CM/ECF |
| George L. Fountain<br>ORION LAW GROUP<br>3 Hutton Centre Drive, Suite 850<br>Santa Ana, CA 92707<br>georgefountain@orionlawgroup.net | Sunbeam Products, Inc. | Email--Pleadings Filed with the Court via CM/ECF |
| Kening Li, PH.D.<br>PINSENT MASONS<br>C/o BAKER DONELSON BEARMAN CALDWELL AND BERKOWITZ<br>555 11th St., NW,<br>Washington, DC 20004<br>Kening.LI@pinsentmasons.com | Sunbeam Products, Inc. | Email--Pleadings Filed with the Court via CM/ECF |
| Vy H. Vu<br>ORION LAW GROUP<br>3 Hutton Centre Drive, Suite 850<br>Santa Ana, CA 92707<br>vyvu@orionlawgroup.net | Sunbeam Products, Inc. | Email--Pleadings Filed with the Court via CM/ECF |
| Richard A. Clegg<br>Seltzer Caplan McMahon Vitek<br>750 B St., Suite 2100<br>San Diego, CA 92101<br>clegg@scmv.com | Star Asia USA, LLC. | Email--Pleadings Filed with the Court |
| I. Neel Chatterjee<br>nchatterjee@orrick.com<br>Richard S. Swope<br>rswope@orrick.com<br>ORRICK, HERRINGTON & SUTCLIFFE LLP<br>1000 Marsh Road<br>Menlo Park, CA 94025 | Logitech, Inc. | Email - Pleadings Filed with the Court via ECF |
| Mark J. Rosenberg<br>Sills Cummis & Gross P.C.<br>One Rockefeller Plaza<br>New York, New York 10020 | Central Purchasing, LLC | Email - Pleadings Filed with the Court via ECF |
| Susan E. Basinger<br>Higgs Fletcher & Mack LLP<br>401West "A" Street, Suite 2600 | Central Purchasing, LLC | Email - Pleadings Filed with the Court via ECF |

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|---|---|---|
| San Diego, California 92101<br>basinger@higgslaw.com | | |
| Anthony J. Dain<br>Victor M. Felix<br>PROCOPIO, CORY, HARGREAVES & SAVITCH LLP<br>530 B Street, Suite 2100<br>San Diego, California 92101<br>vmf@procopio.com<br>ajd@procopio.com | Kyocera International, Inc.<br>Kyocera Wireless Corp. | Email - Pleadings Filed with the Court via ECF |
| C/o Agent for Process of Service<br>DMS Holdings, Inc.<br>The Corporation Trust Company<br>Corporation Trust Center<br>1209 Orange Street,<br>Wilmington, DE 19801 | DMS Holdings | Federal Express |

☐ (Personal Service) I caused to be personally served in a sealed envelope hand-delivered to the office of counsel during regular business hours.

☒ (Federal Express) I deposited or caused to be deposited today with Federal Express in a sealed envelope containing a true copy of the foregoing documents with fees fully prepaid addressed to the above noted addressee for overnight delivery.

☐ (Facsimile) I caused a true copy of the foregoing documents to be transmitted by facsimile machine to the above noted addressees. The facsimile transmissions were reported as complete and without error.

☐ (Email) I emailed a true copy of the foregoing documents to an email address represented to be the correct email address for the above noted addressee.

☒ (Email--Pleadings Filed with the Court) Pursuant to Local Rules, I electronically filed this document via the CM/ECF system for the United States District Court for the Southern District of California.

I declare that the foregoing is true and correct, and that this declaration was executed on Wednesday, April 09, 2008, in San Diego, California.

/s/ Melody A. Kramer

Melody A. Kramer